

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI

RONDA WALKER,)	
)	
Plaintiff,)	
)	Case No.
vs.)	
)	JURY TRIAL DEMANDED
PROGRESSIVE DIRECT INSURANCE)	
COMPANY,)	
)	
Defendant.)	

REMOVAL PETITION

Comes now Defendant Progressive Direct Insurance Company, by and through its attorneys, and requests the removal of the above captioned action from the Circuit Court of Bollinger County, State of Missouri, to the United States District Court for the Eastern District of Missouri, pursuant to the provisions of U.S.C. Sections 1332 and 1441(a). In support of its request, Defendant states as follows:

1. Plaintiff commenced this action in the Circuit Court of Bollinger County, State of Missouri, on or about February 5, 2015 under the caption Ronda Walker v. Progressive Direct Insurance Company, Cause No. 15BO-CC00007.

2. Defendant Progressive Direct Insurance Company hereby requests the removal of said action to the United States District Court for the Eastern District of Missouri, based upon the existence of diversity of citizenship between Plaintiff and Defendant pursuant to the diversity jurisdiction of this court and 28 U.S.C. Section 1332(a)(1).

3. The United States District Court for the Eastern District of Missouri, is the Federal District Court embracing the County of Bollinger, State of Missouri, where this action is currently pending.

4. This is a civil action over which this court has original jurisdiction pursuant to 28 U.S.C. Section 1332(a)(1), and is one which may be removed to this court pursuant to the provisions of 28 U.S.C. Section 1441(a), in that:

a. Plaintiff was a citizen and resident of the State of Missouri at the time of the occurrence described in Plaintiff's Petition, and continues to be and remains a resident of the State of Missouri up to and including the present times.

b. Defendant Progressive Direct Insurance Company was, at the time of the commencement of this action, and still is, a corporation duly incorporated under the laws of the State of Ohio, and having its principal place of business in Mayfield Heights, Ohio, and not in Missouri.

c. Plaintiff's Petition seeks recovery of an amount in excess of \$75,000, and therefore there is a reasonable probability that the matter in controversy herein exceeds the sum of \$75,000 exclusive of interest and costs.

5. This Petition is filed pursuant to the provisions of 28 U.S.C. Sections 1444(a) and 1446 within 30 days after the receipt by Progressive Direct Insurance Company of the initial pleadings setting forth the claim for relief upon which this action is based.

6. There are attached to this notice and incorporated hereby by reference, true and accurate copies of all process, pleadings and orders to date in this action.

WHEREFORE, Defendant Progressive Direct Insurance Company requests that this case be removed from the Circuit Court of St. Louis City, State of Missouri to the United States District Court for the Eastern District of Missouri.


Daniel E. Wilke

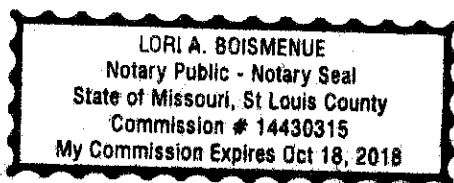
STATE OF MISSOURI)
)ss
CITY OF ST. LOUIS)

Daniel E. Wilke, first being duly sworn upon his oath, states that he is the agent and attorney for Defendant, that he has read the foregoing Removal Petition and knows the contents thereof, and that the statements herein contained are true to the best of his knowledge, information and belief.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal this 23 day of February, 2015.


NOTARY PUBLIC

My Commission Expires:



/s/ Daniel E. Wilke
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James A. Wilke #51242MO
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I hereby certify that on February 23, 2015 the foregoing was filed electronically with the Clerk of Court to be served by operation of the Court's electronic filing system upon the following:

John D. Harding
Attorney at Law
P.O. Box 1150
Cape Girardeau, MO 63702-1150
ATTORNEY FOR PLAINTIFF

/s/ Daniel E. Wilke

DEW:lb